

TOWN OF SOUTHAMPTON

Department of Land Management
Zoning Board of Appeals
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

Phone: (631) 287-5700
Fax: (631) 287-5754



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PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS
PUBLIC HEARING AGENDA
September 17, 2015

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

1. **Jason & Micaela McMurrough** (appl. 1500137) 900-339-1-20 East Quogue
31 Lakewood Avenue Helene
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations): (i) an accessory distance from street setback of 37.7 feet from Elm Street where 70 feet is required for a proposed swimming pool with attached spa, (ii) a front yard setback of 4 feet where 60 feet is required for a proposed deck on a nonconforming lot and any other relief necessary.
2. **Michael & Maria Peretta** (appl. 1500139) Keith 900-374-1-1 Hampton Bays
34 Penny Lane
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 761.2 cubic feet for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

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NEW APPLICATIONS - Continued

SCTM – HAMLET

3. **John M. Burgess Jr. & Lynne G. Burgess (life estate)** (appl. 1500140)
16 Cooper Lane Laura 900-97-1-17.1 North Sea
Applicant requests a determination that the subject parcel SCTM# 900-97-1-17.1 is held in single and separate ownership from the adjacent parcel to the Northeast identified as SCTM# 900-97-1-18 and thus entitled to relief pursuant to §330-115D and any other relief necessary.
4. **116 Fish Cove Road, LLC** (appl. 1500141) Adam 900-78-1-4 North Sea
116 Fish Cove Road
Applicant request an interpretation and/or relief from Town Code §330-84D (pyramid height) for proposed pyramid encroachment in the amount of 282 cubic feet for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
5. **Marianna Watrick Revocable Trust** (appl. 1500142) 900-116-1-12.21 Water Mill
141 Bay Lane Denise
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for: (i) a principal total side yard setback of 44.2 feet where 60 feet is required and a principal rear yard setback of 51.3 for a proposed two-story accessory building and garage attached to the main dwelling and (ii) a principal rear yard setback of 39.5 feet for a proposed roof over deck attached to the proposed accessory building with garage and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

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| 6. | Theresa Cantwell Irrevocable Trust (appl. 1500006)
5 Cornell Place | 900-264-4-13 | Hampton Bays |
| <p>Applicant requests relief from the following provisions of the Town Code §330-11.2F (accessory apartment special standards) to legalize the construction of an accessory apartment in the basement of an existing dwelling without the benefit of a building permit on a lot that is less than 30,000 square feet : (i) a lot area of 10,125 square feet where 16,000 square feet is required, (ii) lot width of 75 feet where 84 feet is required, (iii) a principal minimum side yard setback of feet 10.1 where 14 feet is required, and (iv) a principal total side yard of 26.8 feet where 28 feet is required. In addition, applicant requests relief from §330-11.2G(1) to allow the size the accessory apartment to be in excess the maximum allowable 35% of the total floor area of the principal dwelling on a nonconforming lot and any other relief necessary.</p> | | | |

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READVERTISED APPLICATIONS - Continued

SCTM – HAMLET

7. **No Hotel, LLC** (appl. 1500085) 900-323-2-15 Hampton Bays
16 Penny Lane
Applicant requests relief from Town Code Section §330-116 (extension) as it relates to §330-167B(1)(a) (specific types of variances) to legalize the addition of an office with wood deck above to the existing two-story dwelling on a nonconforming lot with multiple residences. In addition, applicant requests the following relief from §330-84D (pyramid height): 1) An encroachment in the amount of 145 cubic feet to legalize "Shed 1" (westerly shed) constructed without the benefit of a building permit, 2) An encroachment in the amount of 165 cubic feet to legalize "Shed 2" (easterly shed) constructed without the benefit of a building permit, 3) An encroachment in the amount of 187.5 cubic feet to legalize the one-story frame building (shed) attached to the two-story dwelling with attached office constructed without the benefit of a building permit. Applicant also requests relief from the following provisions of the Town Code to allow the illuminated, single sided, dual pole freestanding sign constructed without the benefit of a building permit to remain in its current location: §330-205B (Freestanding signs, including pole and monument signs.): (i) §330-205B(1): The building to which the sign relates is 38.7 feet from the front property line where a minimum of 40 feet is required to allow a freestanding sign to be located on the parcel, (ii) §330-205B(1): A ground clearance of 1.083 feet where a minimum clearance of 2 feet is required, (iii) §330-205B(2): front setback of 0.3 of a foot

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 12/18/14 and the 2/19/15 meeting; adjourned from the 3/19/15 meeting:

8. **Peconic Land Trust, Incorporated** (appl. 1400140) 900-85-1-28.4 & 28.5
36 & 66 Mitchells Lane Herb Bridgehampton
Applicant requests relief from the following provisions of the Town Code to allow a fence with a height of eight feet to be installed within the required front yard, to wit, 50 feet from Mitchell Lane, and around the perimeter of the parcel: (i) §330-109A(1): to allow the proposed fence to be located within the required front yard, where no fence in a required front yard shall have a height greater than four feet, (ii) 330-109A(2): to allow the proposed fence to be located in the required rear and side yards, where no fence in a required rear or side yard shall have a height greater than six feet, and (ii) 330-109A(3): to allow the proposed fence to have a height of eight feet, where in no case shall any fence have a height greater than six feet and any other relief necessary.

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HOLDOVER APPLICATIONS - Continued

SCTM – HAMLET

Held over from the 7/16/15 and the 9/3/15 meeting:

9. **David & Charlene Betts** (appl. 1500103) Herb 900-61-1-74 North Sea
 7 Helens Lane
 Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 10,204 cubic feet for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

CORRECTION

SCTM – HAMLET

10. **Ram Island 3, LLC** (appl. 1500098) Laura 900-109-1-3 Tuckahoe
 45 Ram Island Drive
 On August 6, 2015, by decision number D015115, this Board found that applicant's proposed 1,408 square foot "studio/playhouse" is a "customary accessory structure" as it relates to the existing and proposed dwellings on the subject premises. This decision was conditioned upon the "studio/playhouse" never to contain any cooking or sleeping facilities. In addition, this Board granted the applicant relief from Town Code §330-116 (extension) as it relates to Town Code §330-167B(1)(a) (specific types of variances) to permit an increase of the floor area of a proposed cottage located on a lot with two single-family residences. This decision is being amended to correct scrivener's errors.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Quogue New Life Development Corp. (written submissions by 9/3/15)	Brian	8/20/15	900-359-5-27	Quogue
Laura Friedrich	Laura	8/20/15	900-99-3-13.7	North Sea
RSA Southampton, LLC	Keith	6/4/15	900-99-1-5	North Sea
Carolyn Eghrari	Denise	9/3/15	900-56-1-20.2	Sagaponack
Jonathan Zack (written submissions)	Adam	9/3/15	900-324-2-26	Hampton Bays
Maxine Levy (written submissions)	Brian	9/3/15	900-354-4-113.5	Westhampton
Maria Pasch	Keith	9/3/15	900-189-1-27	Hampton Bays

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<u>DECISIONS – Continued</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>
Oriana Stevkovski	Herb	9/3/15	900-380-2-42 Remsenburg
Arthur Innes	Keith	9/3/15	900-269-1-27 Hampton Bays
Laurene Chornoma & Claudia LaMelza (written submissions)	Brian	8/20/15	900-366-1-7.1 & 7.3 Remsenburg/Speonk
Robert Lertora (written submissions)	Keith	8/20/15	900-258-1-6 Hampton Bays
Greg & Susan Mastronardi	Adam	8/20/15	900-323-1-33.1 Hampton Bays